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PATENT

Attorney Docket No. SALKINS.017C1

Date: October 30, 2001

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JC928 U.S. PTO  
10/30/01

JC503 U.S. PTO  
10/016358  
10/30/01

ASSISTANT COMMISSIONER FOR PATENTS

WASHINGTON, D.C. 20231

ATTENTION: BOX PATENT APPLICATION

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): **Richard A. Dixon, Yiji Xia, and Christopher Lamb**

For: **CONSTITUTIVE DISEASE RESISTANCE (CDR1) GENE AND METHODS OF USE THEREOF**

Enclosed are:

- (X) Six (6) sheet(s) of formal drawings.
- (X) Return prepaid postcard.
- (X) This application is a continuation of co-pending U.S. Serial No. 09/353,332, filed July 14, 1999, which claims the benefit of priority from U.S. Provisional Application Serial No. 60/092,696, filed July 14, 1998.
- (X) A copy of Declaration from prior application is enclosed.
- (X) A Letter with paper copy of the Sequence Listing in 5 pages is enclosed.
- (X) A small entity statement was filed in the prior application, and such status is still proper and desired.
- (X) Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

The present application qualifies for small entity status under 37 C.F.R. § 1.27. The fees are calculated below:

CLAIMS AS FILED				
FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
Basic Fee			\$370	\$370
Total Claims	51 - 20 =	31 ×	\$9	\$279
Independent Claims	9 - 3 =	6 ×	\$42	\$252
If application contains any multiple dependent claims(s), then add			\$140	\$-0-
TOTAL FILING FEE		\$901		

- (X) A check in the amount of \$901 to cover the filing fee is enclosed.

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- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 11-1410.
- (X) Please use Customer No. **20,995** for the correspondence address.



James J. Mullen III, Ph.D.  
Registration No. 44,957  
Attorney of Record

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Dixon, et al.  
Appl. No. : Unknown  
Filed : Herewith  
For : CONSTITUTIVE DISEASE RESISTANCE (CDR1) GENE AND  
METHODS OF USE THEREOF

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LETTER

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The Sequence Listing in computer readable form (CRF) already on file in co-pending U.S. Patent Application Serial No. 09/353,332, filed July 14, 1999, is identical to the written Sequence Listing in the application filed herewith. A paper copy of the Sequence Listing as required by 37 C.F.R. § 1.821(e) is submitted herewith.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 30 OCT 2001

By: 

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Assistant Commissioner for Patents  
Washington, D.C. 20231  
BOX PATENT APPLICATION

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

Attorney Docket No. : SALKINS.017C1

Applicant(s) : Dixon et al.

For : CONSTITUTIVE DISEASE RESISTANCE  
(CDR1) GENE AND METHODS OF USE  
THEREOF

Attorney : James J. Mullen III, Ph.D.

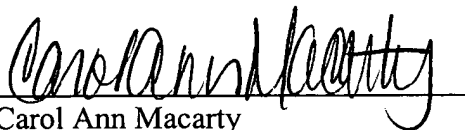
"Express Mail"  
Mailing Label No. : EV 040 899 729 US

Date of Deposit : October 30, 2001

I hereby certify that the accompanying

Transmittal letter; specification in 50 pages; 6 sheets of drawings; Copy of  
Declaration by Inventor in 4 pages; Letter with paper copy of the Sequence  
Listing in 5 pages; Check for Filing Fee; Return Prepaid Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to  
Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to the  
Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Carol Ann Macarty

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